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Formerly Utilized Sites Remedial Action Program (FUSRAP)

ADMINISTRATIVE RECORD

for Maywood, New Jersey



U.S. Department of Energy



Department of Energy

084282007

Oak Ridge Operations
P.O. Box 2001
Oak Ridge, Tennessee 37831 - 8723

January 6, 1992

Ms. Fredi L. Pearlmutter, Esq.
Kerby, Cooper, English, Danis, Popper & Garvin
480 Morris Avenue
Summit, NJ 07901-1583

Dear Ms. Pearlmutter:

STATEMENT OF DOE'S POSITION ON THE REPLACEMENT OF RADIOLOGICALLY-CONTAMINATED SOIL FOR THE STEPAN REMEDIAL INVESTIGATION

The following statement of the Department of Energy's (DOE) position on the replacement of radiologically contaminated soil from the Sears property is being provided as a result of a request made by you on January 3, 1992. As discussed and agreed upon by the Environmental Protection Agency (EPA), in the course of conducting the trenching program for Stepan Company's remedial investigation DOE will replace any radiologically contaminated soil that exceeds DOE final cleanup standards and will address this waste at the time of the final remedial action for the site. The only exception to this position will be in the case that contamination is uncovered that is determined to pose an immediate threat to the general public. If this is the case then the contaminated soil will be removed by DOE.

The reasons for DOE taking this position are two-fold. First, DOE's final cleanup criteria for the radiologically contaminated soil is based on a future land use scenario that is quite conservative and is not applicable to current land use. Therefore, although the cleanup guidelines may be exceeded, a current health risk does not exist. Any soil that exceeds DOE cleanup criteria will be addressed at the time of the final remedial action. The second reason for taking this position is the opposition DOE has encountered from the residents of Maywood on relocating waste to the Maywood Interim Storage Site (MISS). DOE has committed to leaving all contaminated waste in place unless a immediate threat exists, or until the community feels differently about relocation of the contaminated material to the MISS.

To close, DOE has no intention of leaving contaminated soil exposed on the Sears property but rather such soil will be replaced into the excavated areas and covered with clean or excavated fill material.

Ms. Fredi Pearlmutter

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If you have any questions pertaining to DOE's position I may be reached at
(615) 576-5724.

Sincerely,



Susan M. Cange, Site Manager
Former Sites Restoration Division

cc: Jeff Gratz, U.S. EPA, Region II
Edgar Kaup, NJDEPE
Jeff Bartlett, Stepan Company
Mary Manto, CH2M HILL